

PATENT

Attorney Docket No.: 9D-HR-19571

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Daum et al.  
Serial No.: 09/747,442  
Filed: December 26, 2000  
For: METHOD AND APPARATUS FOR  
INTERFACING A POWER LINE  
CARRIER AND AN APPLIANCE

Group No.: 2632  
Examiner: Sihong Huang

Mail Stop: AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

## TRANSMITTAL

1. Transmitted herewith is:
  - Response to Office Action (Restriction Requirement) dated July 26, 2004 (2 pgs.)
  - Restriction Response Transmittal (3 pgs.)
  - Certificate of Facsimile Transmission (1 pg.)

## STATUS

2. Applicant  
☒ claims small entity status.  
☐ is other than a small entity.

## CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. 1.8a)

I hereby certify that this correspondence is, on the date shown below, being:

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Date: \_\_\_\_\_

FACSIMILE  
✓ transmitted by facsimile to the Patent and  
Trademark Office to fax number (703) 872-9306.

  
\_\_\_\_\_  
Thomas M. Fisher, Reg. 47,564

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ARMSTRONG TEASDALE LLP

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Fax: (314) 621-5065  
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**CERTIFICATE OF FACSIMILE TRANSMISSION TO THE  
UNITED STATES PATENT AND TRADEMARK OFFICE**

**DATE:** August 25, 2004

**TO:** Examiner: Sihong Huang : **RE:** U.S. Patent Application  
**Art Unit:** 2632 : **Serial No.:** 09/747,442  
**Fax:** (703) 872-9306 : **Applicant:** Daum et al.  
**From:** Thomas M. Fisher : **Atty. Dkt. No.:** 9D-HR-19571

**DOCUMENTS SUBMITTED WITH TRANSMISSION:**

- *Restriction Response Transmittal (3 pgs.)*
- *Response to Office Action (Restriction Requirement) dated July 26, 2004 (2 pgs.)*
- *Certificate of Facsimile Transmission (1 pg.)*

**Total pages including cover page: 6**


**If all pages are not received, please contact: Laura Davis at Ext. 7923**

**RE:** The above referenced U.S. Patent Application  
**Title:** METHOD AND APPARATUS FOR INTERFACING A POWER LINE CARRIER AND AN  
APPLIANCE  
**Filed:** December 26, 2000  
**AT File No.** 13307-170

**CERTIFICATE OF FACSIMILE TRANSMISSION**

I hereby certify that these papers are being facsimile transmitted to the U.S. Patent and Trademark Office,  
Facsimile Number (703) 872-9306 on the date shown below.

**Date:** August 25, 2004

  
Thomas M. Fisher  
Reg. No. 47,564

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**EXTENSION OF TERM**

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply.

(complete (a) or (b), as applicable)

- (a) \_\_\_\_\_ Applicant petitions for an extension of time under 37 C.F.R. 1.136  
(Fees: 37 C.F.R. 1.17(a)-(d) for the total number of months checked below:)

Extension for response within:	Other than small entity Fee	Small entity Fee (if applicable)
_____ First month	\$ 110.00	\$ 55.00
_____ Second month	\$ 400.00	\$ 200.00
_____ Third month	\$ 920.00	\$ 460.00
_____ Fourth month	\$1,440.00	\$ 720.00
_____ Fifth month	\$1,960.00	\$ 980.00

Fee: \$ \_\_\_\_\_

If an additional extension of time is required, please consider this a petition therefor.

(Check and complete the next item, if applicable)

\_\_\_\_\_ An extension of \_\_\_\_\_ months has already been secured. The fee paid therefor \$ \_\_\_\_\_ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$ \_\_\_\_\_.

OR

- (b) ☒ Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

**FEE FOR CLAIMS**

4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

	(Col. 1) CLAIMS REMAINING AFTER AMENDMENT		(Col. 2) HIGHEST NO. PREVIOUSLY PAID FOR	(Col. 3) PRESENT EXTRA	SMALL ENTITY ADDITIONAL RATE FEE	OR	OTHER THAN SMALL ENTITY ADDITIONAL RATE FEE
TOTAL		MINUS		=	x \$9 = \$		x \$18 = \$
INDEP.		MINUS		=	x \$42 = \$		x \$84 = \$
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM					+ \$130 = \$		+ \$280 = \$
					TOTAL ADDITIONAL FEE \$	OR	TOTAL ADDITIONAL FEE \$

- (a) ☒ No additional fee for Claims is required

OR

- (b) \_\_\_\_\_ Total additional fee for claims required \$

**FEE PAYMENT**

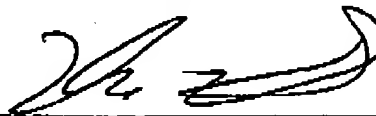
5. \_\_\_\_\_ Attached is a check in the sum of \$ \_\_\_\_\_  
 \_\_\_\_\_ Charge Deposit Account No. 01-2384 the sum of \$ \_\_\_\_\_.  
 A duplicate of this transmittal is attached.

**FEE DEFICIENCY**

6. ☒ If any additional extension and/or fee is required, charge Deposit Account No. 01-2384.

AND/OR

- ☒ If any additional fee for claims is required, charge Deposit Account No. 01-2384.
7. \_\_\_\_\_ Other:

  
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For: METHOD AND APPARATUS FOR  
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Art Unit: 2632

Examiner: Sihong Huang

**RESPONSE TO RESTRICTION REQUIREMENT**

Mail Stop: Amendment  
Hon. Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Office Action dated July 26, 2004, Applicants elect for prosecution in this application all claims that belong to Group I, i.e., claims 1-15.

Reconsideration of the restriction requirement imposed under 35 U.S.C. §121 is respectfully requested.

A restriction to one of invention I, consisting of claims 1-15, drawn to a communication interface, classified in class 340 subclass 310.01, and invention II, consisting of claims 16-20, drawn to a power line diagnostic module, classified in class 340, subclass 657 was imposed. In response, Applicants elect with traverse to prosecute the invention of Group I, claims 1-15.

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The requirement for election is traversed because the inventions set out by the claims in Groups I and II are clearly related. Applicants note that both the cited Claim Groups each fall within Class 340, and submit that a thorough search and examination of one Group would be relevant to the examination of the other Group and would not be a serious burden on the Examiner. Additionally, requirements for election are not mandatory under 35 U.S.C. §121. Accordingly, reconsideration of the election requirement is requested.

Respectfully Submitted,



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